

### **Remarks**

The above Amendments and these Remarks are in reply to the final Office Action mailed April 25, 2003. Claims 1-15 and 18-31 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-15 and 18-~~20~~<sup>31</sup>. The present Response amends claims 1, 15, 21-23, 25, and 27-30, leaving for the Examiner's present consideration claims 1-15, and 18-31. Reconsideration of the rejections is respectfully requested.

#### **I. Examiner Interview Summary**

Attorneys for Applicants conducted two separate phone interviews with the Examiner, on July 15, 2003 and July 18, 2003. In the interviews, potentially patentable distinctions between the present application and the cited art were discussed. Among these potentially patentable distinctions was the concept of generating an annular plasma and injecting a flow of reactive species into the annulus of the annular plasma. Advantages to such an approach were discussed, as were distinctions between the present invention and the cited art. While the Examiner indicated that the present invention seemed distinguishable over at least most of the references, another search would be required.

#### **II. Rejections under 35 USC §112**

Claims 1-15, 18-20, and 27 are rejected under §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention. Although Applicants respectfully disagree with the rejection, claims 1 and 27 have been amended to remove the rejected language. Claims 2-15 and 18-20 depend from claim 1. As the rejected language is no longer present in these claims, Applicants respectfully request that the rejection be withdrawn.

Claim 30 is also rejected under §112, first paragraph. Claim 30 has been amended to clarify that which is intended to be recited in the claim. Support for the amendment can be found, for example, in

paragraph 68 of the specification. Applicants therefore respectfully request that the rejection with respect to claim 30 be withdrawn.

Claims 1-15 and 18-20 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 15 has been amended to correct a simple typographic error, to identify “(SF6)” as sulfur hexafluoride. The claim was not amended for purposes related to patentability, and the scope of the claim is not intended to be changed. Applicants respectfully request that the rejection with respect to claim 15 be withdrawn.

Claim 1 was also rejected under 35 U.S.C. §112, second paragraph. The rejected language has been removed from the claim for reasons such as those discussed above. The other rejected claims depend from this claim, and also do not contain the rejected language. Applicants respectfully request that the rejection with respect to claim 1 be withdrawn.

### **III. Rejections under 35 USC §102**

Claims 21, 25, 26, 28, 29, and 31 are rejected under 35 U.S.C. §102(b) as being anticipated by *Zarowin Symp* ‘89. Claim 21 has been amended to recite “injecting a flow of reactive species into the annulus of an annular plasma”. Claims 25, 26, 28, 29, and 31 contain similar limitations. Such a limitation is not disclosed by *Zarowin Symp* ‘89, as the reference does not disclose a flow of reactive species that is separate from the plasma, the injecting of a gas into the plasma, or the injecting of a gas into the annulus of a plasma. *Zarowin Symp* ‘89 therefore cannot anticipate claims 21, 25, 26, 28, 29, and 31.

Claims 25, 26, 29, and 31 are rejected under 35 U.S.C. §102(b) as being anticipated by *Zarowin* ‘355. Claim 25 as amended recites “injecting a reactive species into the central zone of the annular plasma”. Claims 26, 29, and 31 contain similar limitations. Such a limitation is not disclosed by *Zarowin* ‘355, as the reference does not disclose a flow of reactive species that is separate from the plasma, the injecting of a gas into the plasma, or the injecting of a gas into the central zone of a plasma

(the reference discloses a diffuser to mix the gases before the plasma - see Figure 1 and col. 3, lines 16-42 for example). *Zarowin* '355 therefore cannot anticipate claims 25, 26, 29, and 31.

Claims 22-26, 28, 29, and 31 are rejected under 35 U.S.C. §102(b) as being anticipated by *Siniaguine*. Claim 22 as amended recites "injecting a flow of reactive species into the annulus of an annular plasma". Claims 23-26, 28, 29, and 31 contain similar limitations. Such a limitation is not disclosed by *Siniaguine*, as the reference does not disclose a flow of reactive species that is separate from the plasma, the injecting of a gas into the plasma, or the injecting of a gas into the annulus of an annular plasma. *Siniaguine* therefore cannot anticipate claims 25, 26, 29, and 31.

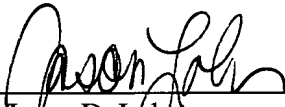
#### IV. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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